

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

WALTER COLUMBUS SIMMONS,)
)
 Plaintiff,)
)
 v.) 1:13CV677
)
HUGH CHATHAM HOSPITAL, et al.,)
)
 Defendant(s).)

ORDER


On August 26, 2013, the United States Magistrate Judge's Recommendation was filed and notice was served on the parties pursuant to 28 U.S.C. § 636. (Docs. 3 and 4.) On September 6, 2013, Plaintiff filed a document stating, in part, that "I would like to appeal this case number - 1:13CV677." (Doc. 5.) Plaintiff does not specifically indicate the nature of the appeal he seeks. However, because a Recommendation has been entered, this court will construe the request to appeal as objections to the Recommendation. See Fed. R. Civ. P. 72(b)(2) ("Within 14 days after being served with a copy of the recommended disposition, a party may serve and file . . . objections.").

The court has appropriately reviewed the portions of the Magistrate Judge's report to which objection was made and has

made a de novo determination which is in accord with the Magistrate Judge's report. The court therefore adopts the Magistrate Judge's recommendation.

IT IS THEREFORE ORDERED that Plaintiff's Complaint (Doc. 2) be, and is hereby, **DISMISSED** pursuant to 28 U.S.C. § 1915A for being frivolous or for failing to state a claim upon which relief may be granted. A Judgment dismissing this action will be entered contemporaneously with this Order.

This the 22nd day of October, 2013.


United States District Judge